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NB:CCC

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

WILLIAM WILFREDO JANDERS-  
RODRIGUEZ,  
also known as "Jose Torres,  
  
Defendant.

COMPLAINT AND  
AFFIDAVIT IN SUPPORT  
OF APPLICATION FOR  
ARREST WARRANT

(T. 8, U.S.C.,  
§§ 1326(a) and  
1326(b) (2))

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EASTERN DISTRICT OF NEW YORK, SS:

KENNETH LOPEZ, being duly sworn, deposes and states  
that he is a Deportation Officer with United States Immigration  
and Customs Enforcement ("ICE"), duly appointed according to law  
and acting as such.

On or about January 20, 2011, within the Eastern  
District of New York and elsewhere, the defendant WILLIAM  
WILFREDO JANDERS-RODRIGUEZ, also known as "Jose Torres," being an  
alien who had previously been arrested and convicted of an  
aggravated felony, to wit: Robbery in the First Degree in  
violation of Section 160.15 subsection 3 of the New York State  
Penal Law, and was thereafter excluded and removed from the  
United States, and who had not made a re-application for  
admission to the United States to which the Secretary of the  
Department of Homeland Security, successor to the Attorney

General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1/</sup>

1. I am a Deportation Officer with ICE for approximately five years and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about January 20, 2011, the defendant, WILLIAM WILFREDO JANDERS-RODRIGUEZ, also known as "Jose Torres," was arrested by the Suffolk County Police Department ("SCPD") in Suffolk, New York. JANDERS-RODRIGUEZ was arrested for Criminal Obstruction of Breathing/Blood Circulation in violation of Section 121.11 subsection B of the New York State Penal Law. The defendant used the name "Jose Torres" in connection with his arrest.

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<sup>1/</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

3. Subsequent to the arrest, the SCPD ran a criminal history report and found that the defendant, a citizen of El Salvador, had been previously removed from the United States on June 14, 2002.

4. The SCPD notified ICE, and ICE officials determined that on or about August 14, 1996, the defendant, WILLIAM WILFREDO JANDERS-RODRIGUEZ, also known as "Jose Torres," had been convicted of Robbery in the First Degree in violation of Section 160.15 subsection 3 of the New York State Penal Law, an aggravated felony offense.

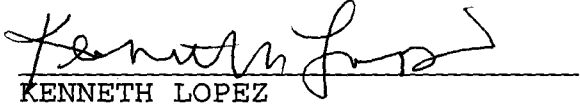
5. ICE officials also determined that on or about June 14, 2002, the defendant, WILLIAM WILFREDO JANDERS-RODRIGUEZ, also known as "Jose Torres," had been removed as an aggravated felon from the United States pursuant to an Order of Removal dated May 8, 1997.

6. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his August 14, 1996 conviction; the fingerprints taken in connection with the defendant's June 14, 2002 removal; and the fingerprints taken in connection with the defendant's January 20, 2011 arrest, and determined that all three sets of fingerprints were made by the same individual.

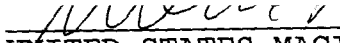
7. A preliminary search of ICE records has revealed that there exists no request by the defendant for permission from

either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant, WILLIAM WILFREDO JANDERS-RODRIGUEZ, also known as "Jose Torres," be dealt with according to law.

  
KENNETH LOPEZ  
Deportation Officer  
United States Immigration and  
Customs Enforcement

Sworn to before me this  
24th day of February, 2011

  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK